
OLR Bill Analysis

sSB 1192

AN ACT CONCERNING THE PROCESSING OF COMPLAINTS FILED WITH THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.

SUMMARY:

This bill reduces the time period, from 210 to 180 days, that must elapse before the parties to a complaint before the Commission on Human Rights and Opportunities (CHRO) jointly or the complainant alone can request a release from the commission in order to bring an action in Superior Court. It also allows CHRO to grant a release at any time after its review if the complainant files a letter of intent to request a release when filing the initial complaint. In that case, the bill requires CHRO to expedite its review.

The bill also adds the respondent's failure to attend a fact-finding conference to the reasons a respondent is subject to an order of default. CHRO can issue such an order when a respondent fails to appear or file an answer to a complaint as required by CHRO's complaint investigation and review procedures.

EFFECTIVE DATE: October 1, 2011

DISCRIMINATION LAWSUITS

The law gives those alleging discrimination before the CHRO the right to ask the executive director for permission to sue when their complaints have been pending for over 210 days. The complainant and respondent can also jointly ask for a release from the commission at any time up until 210 days after a complaint is filed. The bill reduces the time period to 180 days in both cases.

In addition, the bill gives the executive director authority to grant a release to sue at any time after a review of the complaint is complete if the complainant files a letter of intent to request a release when he or

she files the initial complaint. In that case, CHRO must expedite its review. The bill requires an expedited review; but, as under current law, CHRO has 90 days after the respondent files an answer to the complaint to review the file. When permission is granted, CHRO must dismiss or otherwise dispose of the pending complaint. The complainant has 90 days after receiving the commission's release to bring an action in court.

BACKGROUND

Related Bills

sSB 1188 (File 573) establishes a Division of Administrative Hearings (DAH) within the Department of Administrative Services to impartially hear contested cases for CHRO, among other agencies. Under this bill, beginning January 1, 2012, CHRO's powers, functions, and duties with respect to its contested cases transfers to DAH, which must conduct hearings and render proposed final decisions or final decisions when allowed or required by law. Any proposed final decision may be rejected, modified, or accepted by the referring agency (CHRO). It becomes final if CHRO fails to act within a specified period.

HB 6595, reported by the Appropriations Committee, makes the same change as this bill in the time period for requesting a release from the commission (reduced from 210 to 180 days). HB 6595 makes other changes to CHRO procedures and functions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/12/2011)